



News From: _____

U.S. Senator Russ Feingold

506 Hart Senate Office Building
Washington, D.C. 20510-4904
(202) 224-5323

<http://www.senate.gov/~feingold>

Contact: Zach Lowe (202) 224-8657

Testimony of U.S. Senator Russ Feingold On the Senate Campaign Disclosure Parity Act *Prepared for Delivery Before the Senate Rules Committee*

March 14, 2007

Madam Chairman, Ranking Member Bennett, thank you for holding this hearing and for inviting me to testify. I am very pleased, Madam Chairman, that you are an original cosponsor of the Senate Campaign Disclosure Parity Act this year, and I appreciate very much that you have decided to try to move the bill through the committee.

I would also like to acknowledge the other cosponsors on the committee, Senator Cochran, who is now the lead Republican cosponsor of the bill, Senator Durbin, who has supported every version of this bill since it was first introduced in the 108th Congress, Sen. Hutchison, who has long been an advocate of improved disclosure legislation, dating back to our work together on the 527 disclosure bill in 2000, and Sen. Dodd, who I will always be grateful to for his expert managing of the McCain-Feingold bill when it was on the floor in 2001.

The Senate Campaign Disclosure Parity Act fixes the anomaly in the election laws that makes it nearly impossible for the public to get timely access to Senate campaign finance reports, even though most other reports are available on the Internet within 24 hours of their filing with the Federal Election Commission (FEC). This bill will finally bring Senate campaigns into the 21st century by amending the section of the election laws dealing with electronic filing to require reports filed with the Secretary of the Senate to be filed electronically and forwarded to the FEC within 24 hours.

The FEC is required to make available on the Internet within 24 hours any filing it receives electronically. So if this bill is enacted, electronic versions of Senate reports should be available to the public within 48 hours of their filing. That will be a vast improvement over the current situation, which requires journalists and interested members of the public to review computer images of paper-filed copies of reports, and involves a completely wasteful expenditure by the FEC of hundreds of thousands of dollars each year to re-enter information into databases, even though every Senate campaign has the information available in electronic format.

This step is long overdue. There is no excuse for keeping our own campaign finance information inaccessible to the public when the information filed by House and Presidential candidates, PACs, parties, and even 527 organizations is readily available almost immediately. The *Washington Post* has called the outmoded Senate campaign reporting system "obviously unjustified," and *Roll Call* has called it "indefensible." I couldn't agree more. Why has the Senate required electronic filing of everyone else, but refused to get rid of its own exemption?

The current system means that the FEC's detailed coding, which allows the press and the public to do more sophisticated searches and analysis, is completed over a week later for Senate reports than for House reports. It means that the final disclosure reports covering the first two weeks of October are often not available for detailed scrutiny until *after* the election. Indeed, according to the Campaign Finance Institute, prior to the 2006 election, "[i]n all ten of the most closely followed Senate races, voters were unable to search through any candidate reports for information on [donations made after September]." And a September 2006 column by Jeffery Birnbaum in the *Washington Post* noted that "When the polls opened in November 2004, voters were in the dark about \$53 million in individual Senate contributions of \$200 or more dating all the way back to July." That's scandalous Madam Chairman, and there is no good reason for it.

Madam Chairman, let me just say that I know that the election laws have a big impact on campaigns and all Senators want to scrutinize them very carefully for partisan or personal implications. I am very familiar with controversial and contested campaign finance legislation. This isn't that kind of bill. This bill is as close to a no-brainer as you can get in this area.

We now have 29 cosponsors for this bill, 18 Democrats and 11 Republicans. Important major media outlets have endorsed it, as have bloggers on the left and the right. No one that I know of opposes it. And yet, it has now been nearly 3 and a half years since I first introduced it. That's nearly half as long as it took us to pass McCain-Feingold. I know McCain-Feingold. You might say McCain-Feingold is a friend of mine. Madam Chairman, this bill is no McCain-Feingold. So I sincerely hope that this Committee will act expeditiously, and will report the bill without amendment so that we can quickly pass it on the floor, and get it into place for the beginning of next year, well in advance of the elections.

I know that you have a big agenda in the Committee this year. I have strong views on many of those issues, and I hope to be invited to testify again. But this bill can and should be passed quickly. Don't let the other difficult and complicated issues you will face in this Committee prevent this bill from becoming law very soon. Thank you.